

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2014-094624

11/30/2015

HONORABLE JAMES D. SMITH

CLERK OF THE COURT
G. Clark
Deputy

IN RE THE MATTER OF
ROBERT H CURTIS

GERALD D SHERRILL

AND

STEPHANIE ANNE MARIE ELIZABETH
ISHERWOOD

THOMAS A LONGFELLOW

MINUTE ENTRY

The Court considered Mother's Petition for Order Determining Commencement of Six Month Sobriety Period, Reinstating Joint Legal Decision-Making, and Implementing Unsupervised Equal Parenting Time (filed 10/28/2015), the response, and the reply. The issue presented is narrow—when does the “six (6) months of sobriety” begin under paragraph 10 of Parenting Plan (dated 12/30/2014)?

I agree with Mother that the Parenting Plan contemplates different periods of parenting time. Mother's relapse triggered a separate provision of paragraph 10 that requires her to attain six months of sobriety prior to resuming joint legal decision-making and equal, unsupervised parenting time. Based on the parties' submissions, Mother reached that six-month mark on November 28, 2015.

Father's response raised a number of concerns regarding Mother's sobriety and a risk of relapse in the future. Father also questioned whether Mother is complying with all of Dr. Weinstock's recommendations that the Court adopted as orders under Arizona Rule of Family Law Procedure 74(J). If Mother fails to comply, that likely provides a basis to modify legal decision-making and/or parenting time as contrary to the children's best interests. As it stands

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now, however, Father presented such issues as concerns regarding *possible* noncompliance. Father will need to raise those issues in a separate petition if he believes he has a good faith basis to allege that Mother is not complying.

IT IS ORDERED that Mother's six-month sobriety period under the Parenting Plan began on May 28, 2015, and ended on November 28, 2015.

IT IS FURTHER ORDERED denying any relief requested by either party not expressly granted in this order.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.